

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 5, 2001
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Larry Hudkins
Linda Steinman
Bernie Heier

Others Present: Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

- 1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, MARCH 27, 2001; THURSDAY, MARCH 29, 2001 AND TUESDAY, APRIL 3, 2001**

MOTION: Heier moved and Steinman seconded approval of the Staff Meeting minutes of Tuesday, March 27, 2001; Thursday, March 29, 2001 and Tuesday, April 3, 2001. Heier, Steinman, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

- 2 ADDITIONS OF THE AGENDA**

- A. Nebraska Association of County Officials (NACO) Board Meeting
- B. Schedule Hearings for Governmental Entities Protesting Taxable Status and Discuss Late Filings

MOTION: Heier moved and Workman seconded approval of the additions to the agenda. Heier, Steinman, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

- 3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant**

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit A), noting the following:

- O LB 692 (provides for funding of the Nebraska Lifespan Respite Services Program under the Nebraska Health Care Funding Act) was advanced to Final Reading.

Hudkins arrived at the meeting.

- O Amendment is being drafted to attach LB 616 (authorizes road maintenance agreements between counties, cities and villages) to LB 366 (changes provisions relating to zoning by county boards and nonfarm buildings).
- O Revenue Committee continues its discussions on LB 600 (changes agricultural and horticultural land valuation provisions).
- O LB 827 (provides for the sale or lease of dark fiber by governmental entities) was advanced to Final Reading. The bill was amended to include some of the provisions requested by the City of Lincoln and Lincoln Electric System (LES).
- O Select File debate on LB 657 (creates the City of the Primary Class Development Fund and the City of the Metropolitan Class Development Fund and provides funding) begins today. Senator Wickersham plans to introduce several amendments, one of which would require the City to match funds on a three to one basis.
- O LB 335 (changes powers and duties of the Commission on Public Advocacy and provides reimbursement procedures for indigent defense systems) was advanced to Select File.
- O LB 142 (authorizes creation of municipal counties) has not been scheduled for debate. Kissel noted there is no consensus on amendments.

Hudkins said he does not believe LB 142 offers any advantages to Lancaster County and suggested that the County Board take a position of opposition.

Campbell said it may be beneficial to have that avenue in the future and said she does not want to "close the door to that avenue". She added that the bill's proponents believe local commissions will be able to resolve the problems in their areas.

Kissel said he has relayed the County Board's concerns to Senator Schimek, Chair of the Legislature's Government, Military and Veterans Affairs Committee. He recommended that the County Board refrain from taking a position on the bill as final wording is still uncertain.

Steinman concurred and said it is unlikely that the bill will go anywhere this year.

Kissel said if the County Board takes a position of opposition it will need to specify how the bill should be improved.

MOTION: Hudkins moved and Steinman seconded to authorize Kathy Campbell, County Board Chair; Kerry Eagan, Chief Administrative Officer; and Gordon Kissel, Legislative Consultant, to draft a letter to Senator Schimek, Chair of the Legislature's Government, Military and Veterans Affairs Committee, outlining the County Board's concerns regarding LB 142, for the County Board's review at the next Staff Meeting, and to direct Gordon Kissel, Legislative Consultant, to provide the County Board with copies of the amendments to the bill. Hudkins, Steinman, Heier, Workman and Campbell voted aye. Motion carried.

4 DETENTION FACILITY UPDATE; REVIEW OF ALLOWANCE MODIFICATIONS 016-019 - Chris Beardslee, Sinclair Hille & Associates Inc.; Dennis Banks, Lancaster County Juvenile Detention Center Director; Greg Pettibone, Lancaster County Juvenile Detention Facility Project Manager

Detention Facility Update

Chris Beardslee, Sinclair Hille & Associates Inc., presented the following documents (Exhibit B):

- Progress Summary as of April 5, 2001
- Allowance Modifications 016, 017, 018 and 019
- Proposal Requests 023, 030, 031, 032, 033

Beardslee noted that credits for blinds and staining of pre-cast wall panels are anticipated. He said there will also be some funds remaining from the earthwork contingency.

MOTION: Hudkins moved and Heier seconded approval of Allowance Modifications 016, 017, 018 and 019.

Dave Johnson, Deputy County Attorney, said the County Board needs to take action at a County Board of Commissioners Meeting.

The maker of the motion and the seconder withdrew their motion.

Hudkins suggested that consideration be given to adding edges to the drywall and said there needs to be sufficient retainage in case there are problems with the skylights. He also asked whether the problem with Lincoln Mattress Company's driveway access off Radcliffe Road has been resolved.

Beardslee said Kerry Eagan, Chief Administrative Officer, is working with Olsson Associates, the engineering firm for the project, on the matter.

Beardslee reported that Doug Thomas, Information Services Director, and Vince Mejer, Purchasing Agent, have recommended that Alltel Communications be the telephone provider for the Lancaster County Juvenile Detention Center rather than utilizing voice-over technology.

Board consensus to seek a recommendation from Voorhis/Robertson Justice Services, Inc., the firm conducting the Corrections Needs Assessment.

5 ECONOMIC REDEVELOPMENT CONTRACT WITH CABELA'S, INC -
Troy Gagner, Economic Development Coordinator; Dave Kroeker, Budget and Fiscal Officer

Troy Gagner, Economic Development Coordinator, reviewed *Project Financing Agreement, Cabela's Inc.* (see agenda packet) noting funds will be made available on a quarterly basis and will be based on the number of new jobs created. He said the County will only pay for job creation for rural residents until City funds are depleted. An amount up to 66 percent of the total loan amount (\$375,000) is forgivable and may be earned during the fourth and fifth years of operation.

Gagner reported that the County should begin to see repayment of the economic development loan to Weaver Potato Chip Company in November or December.

The Board asked that the County Attorney's Office step up efforts to obtain repayment of an economic development loan to Kinco Manufacturing of Waverly.

Campbell asked how the economic development loan to Kawasaki Motors Manufacturing will be structured.

Dave Johnson, Deputy County Attorney, said ramp construction is a priority. Excess funds will be used for road improvements, with a tie-in to job creation.

Gagner said payout will be based on executed invoices.

Campbell said she anticipates that the \$400,000 loan will be paid out right away.

6 SAFETY & TRAINING OFFICE LOCATION - Gary Lacey, County Attorney; Doug Cyr, Deputy County Attorney

Doug Cyr, Deputy County Attorney, said Sue Eckley, Workers' Compensation & Risk Management Manager, had wanted to move her office into office space formerly occupied by the Lincoln Police Department on the second floor of the Justice and Law Enforcement Center, but the County Sheriff has indicated that it will be using this space. He noted that Eckley has included a .5 clerical position in her budget and said this will need to be accounted for when determining office space.

Campbell said Kerry Eagan, Chief Administrative Officer, has recommended that Cori Beattie, County Board Administrative Secretary, serve as the clerical support for Eckley so that she can gain more experience in this area.

Cyr said her time will need to be accounted for then in the County Risk Management Budget. He also stated that Eckley wants to maintain her autonomy rather than being merged with the Personnel Department or Risk Management.

**7 COMMUNITY MENTAL HEALTH CENTER TRAINING REQUEST;
TRAVEL EXPENSE REIMBURSEMENT; CONTRACT WITH DEREK
GRIMMELL, PH.D.** - Dean Settle, Community Mental Health Center
Director; Tim Genuchi, Accounting Operations Manager, County Clerk's
Office

Contract with Derek Grimmell, Ph.D.

Dean Settle, Community Mental Health Center Director, said Daniel Leggiardro, Ph.D., plans to drop his contract with Lincoln Public Schools, effective July 1, 2001, and is willing to expand his contract with the County from 30 hours a week to 40 hours a week, effective the same date. He recommended acceptance and suggested that the County terminate its contract with Derek Grimmell, Ph.D., effective June 30, 2001, and contract with Grimmell on an hourly basis instead.

Dave Johnson, Deputy County Attorney, explained the terms of Grimmell's contract and said Grimmell has been paid for more hours than worked in November and December, 2000 and January, 2001. He said this shortage will need to be made up.

Training Request

Settle asked that \$5,000 in funds be restored to the budget for staff training. He explained that \$10,000 was deleted from the budget for this expense, at the request of the County Board, and only \$2,500 is remaining from the \$5,000 that was budgeted. Two psychiatrists on staff have requested reimbursement of costs related to attendance at an American Psychiatric Conference and he said this will completely deplete the budget, even on a cost share basis. A staff training day is also planned at an estimated cost of \$4,900.

Hudkins suggested that only one of psychiatrists attend the conference and that an attempt be made to trim the staff training day costs.

Campbell suggested that others be allowed to attend, on a fee basis, to help defray costs.

The Board asked Settle to try to absorb these expenses in the budget and agreed to look at the budget again at the end of the year.

Travel Expense Reimbursement

Settle said he recently participated in a Council for Accreditation for Rehabilitation Facilities (CARF) survey in Oklahoma and then proceeded to a conference for CARF surveyors in Arizona. He said his airfare and half the cost of his meals were covered by CARF, but hotel expenses for the conference (\$700 for four nights) were not, since he was not a presenter. Settle said this was an unexpected expense and requested reimbursement from the County for the cost.

MOTION: Heier moved and Hudkins seconded approval of the expense.

In response to a question from Steinman, Settle said funds for his continuing education or travel to professional conventions were not included in the budget.

Campbell said this issue should be included in a discussion of directors' benefits.

ON CALL: Heier, Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

The Board asked Settle to try to absorb this expense in the budget.

Hudkins exited the meeting.

8 CITY/COUNTY FINAL PLAT NO. 00036, STEVENS CREEK RIDGE ADDITION, 134TH & HOLDREGE; CENSUS UPDATE - Mike DeKalb, Planning Department

City/County Final Plat No. 00036

Mike DeKalb, Planning Department, reviewed City/County Final Plat No. 00036, a request for approval of a final plat for five lots at 134th and Holdrege Street with split jurisdiction between the City and County (Exhibit C). He noted that the applicant has shifted the lots to the east and did not seek a bonus so that further development by the City would not be restricted.

Campbell asked whether the County Board can request that a condition be added requiring the seller to disclose to the buyer, in writing, a potential or designated beltway route.

Diane Staab, Deputy County Attorney, said yes.

DeKalb recommended that the condition be added on a case-by-case basis.

Dave Johnson, Deputy County Attorney, said the applicant will probably be amenable to adding the condition to the subdivision agreement.

Campbell suggested that discussion of this condition and a condition restricting junked cars be scheduled on a City-County Common Meeting agenda.

Census Update

DeKalb also reviewed the following (Exhibit D):

- O Table 1: Year 2000 Census Tabulations, Comparison of Lincoln and Omaha Area Figures
- O Table 2: Year 2000 Census Tabulations, County and City Comparisons, 1960-2000
- O Table 3: Year 2000 Census Tabulations, Towns and Villages in Lancaster County, Nebraska, Comparison 1990-2000
- O Table 4: Year 2000 Census Tabulations, Race and Ethnic Comparisons for County and City
- O Towns and Villages in Lancaster County, Comparison 1990 to 2000 (Graph and Map)

9 SUBDIVISION PAVING GUIDELINES - Don Thomas, County Engineer; Larry Worrell, County Surveyor; Diane Staab, Deputy County Attorney

Don Thomas, County Engineer, reviewed a draft of guidelines for paving gravel subdivision streets (Exhibit E). He noted that ease of maintenance will be a determining factor in deciding whether to approve the conversion to pavement.

The Board asked Diane Staab, Deputy County Attorney, to draft a resolution, with the guidelines attached as policy.

The Board also asked Thomas to contact Allan Abbott, City Public Works/Utilities Director, and ask whether the City will continue to accept subdivision streets that are paved to County standards.

10 CANONGATE ROAD - Don Thomas, County Engineer

Don Thomas, County Engineer, said he met with representatives of the City of Waverly in November, 1999 to discuss paving of Canongate Road and was informed that Waverly would need to install another culvert to address drainage problems in the Aspen Estates and Freedom Estates Subdivisions (see plat map and aerial photo in Exhibit F). Waverly proposed a 66" culvert that would breach Canongate Road and requested the County's assistance with the cost. Thomas declined and told them it was an issue that should have been addressed with the developer. He also advised them that the pipe would need to be installed by the summer of 2000 so that settlement would be gone by the time paving was scheduled to take place in 2001. Thomas said he received a letter from the City of Waverly on February 28, 2001 that said the 66" culvert had been deemed too expensive and Waverly would be installing a 60" pipe alongside the County's 42" pipe under Oldfield Street (shown as 1 on the plat map). He said this is Waverly's right, as it is within its city limits, but will require a match of pipe by the County at two other locations (shown as 2 and 3 on the plat map). Thomas said he met with Waverly representatives on March 20, 2001 and they indicated a preference for the 66" culvert under Canongate Road and again requested the County's assistance with costs.

Thomas estimated costs as follows:

- Installing a 66" culvert under Canongate Road - \$34,000
- Installing 60" pipe at Location 1 - \$17,000
- Installing 60" pipe at Locations 2 and 3 - \$27,000

Thomas said, as an engineer, he would advise against placing a 66" culvert under Canongate Road, as the road serves as a barrier to both Ash Hollow and Salt Creek. He said it is preferable to circumvent the area and to install the additional pipe at Locations 1, 2 and 3.

Board consensus to offer the City of Waverly the following options:

- Option 1 - County will pay the entire \$40,000 cost of the paving project (cost originally intended to be split equally with Waverly) if Waverly agrees to pay the cost of installing the 66" culvert under Canongate Road
- Option 2 - County will share equally in the cost of the paving project and in the cost of installing pipe at Locations 1, 2 and 3

11 ACTION ITEMS

A. Submit Application for Juvenile Accountability Incentive Block Grant (\$263,839)

Kit Boesch, Human Services Administrator, appeared and said Lincoln and Lancaster County will be allocated \$263,839 in Juvenile Accountability Incentive Block Grant funds this year from the Nebraska Crime Commission (\$35,000 less than last year). She said the Juvenile Justice Review Committee has recommended that these funds be used to fund the following programs:

<input type="checkbox"/> Pretrial Diversion	\$ 77,361
<input type="checkbox"/> Juvenile Drug Court	\$ 60,000
<input type="checkbox"/> Court-Ordered Employment Pilot Project	\$ 20,000
<input type="checkbox"/> Survival Skills	\$ 5,000
<input type="checkbox"/> Evening Reporting Center	\$ 70,000
<input type="checkbox"/> Mediation Services	\$ 7,500
<input type="checkbox"/> Youth Violence Alternative Project	<u>\$ 23,978</u>
	\$263,839

Boesch said a 10 percent County match is required, but said \$55,222 in match is proposed to include funding of the Juvenile Drug Court. She said this program has applied for a \$75,000 grant, in conjunction with Douglas and Sarpy Counties, but will not receive notification until June. If the grant is received, the \$37,000 match could be returned to the County or reallocated to the program.

In response to a question from Heier, Boesch said most of the County's match can be used as a match for the Families First & Foremost (F³) Grant.

Hudkins questioned why the grant is less than last year.

Boesch explained this is not punitive but is based on a formula of total population versus juvenile population.

MOTION: Heier moved and Steinman seconded to approve County match in the amount of \$55,222 for the Juvenile Accountability Incentive Block Grant. Heier, Hudkins, Workman, Steinman and Campbell voted aye. Motion carried.

ADDITIONS OF THE AGENDA

A. Nebraska Association of County Officials (NACO) Board Meeting

Workman reported that Lincoln will host the 2003 and 2004 NACO Annual Convention.

B. Schedule Hearings for Governmental Entities Protesting Taxable Status and Discuss Late Filings

Gwen Thorpe, Deputy County Attorney, appeared and said 268 exemption protests were filed (Exhibit G).

The Board of Equalization will hold hearings on the exemption protests on April 24th from 9:30 a.m. to 12:30 p.m. and April 26th from 1:30 p.m. to 5 p.m.

Thorpe said the Village of Bennet submitted an exemption protest after the filing deadline.

MOTION: Steinman moved and Heier seconded to direct the County Clerk to send a letter to any governmental entity that submitted an exemption protest after the deadline informing them that it can not be accepted. Steinman, Heier, Workman and Campbell voted aye. Hudkins was absent from voting. Motion carried.

12 CONSENT ITEMS

A. Vacation Request from Dave Kroeker, Budget and Fiscal Officer, for April 19-20, 2001 (1.5 Days)

B. Microcomputer Requests

1. C#2001-112, \$4,638.14 from the Families First & Foremost (F³) Grant Budget for Two (2) Pentium III's, Two (2) 17" Monitors, Printer, Etc.

2. C#2001-117, \$2,624.56 from the County Extension Budget for One (1) Dell Laptop Computer

MOTION: Workman moved and Steinman seconded approval of the Consent Items. Workman, Heier, Steinman, Hudkins and Campbell voted aye. Motion carried.

13 ADMINISTRATIVE OFFICER REPORT

A. County Logo

The Board noted a preference for Designs A and D (see agenda packet) and requested the following changes to Design D:

- Change the font for **County** to block print
- Use a less bold font for **Lancaster**

- B. Request from Sioux City Civil Service Commission to Utilize Doug Ahlberg, Emergency Management Director, for Examination of Entry Level Police Officers (April 16-19, 2001)

Campbell said Kerry Eagan, Chief Administrative Officer, and Doug Ahlberg, Emergency Management Director, have recommended denial as it would require Ahlberg to be absent during a potentially severe weather period.

MOTION: Steinman moved and Workman seconded to deny the request . Steinman, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

- C. Gate on Sunny Slope Road

A committee consisting of Commissioner Heier; Kerry Eagan, Chief Administrative Officer; Gary Lacey, County Attorney; and Terry Wagner, Lancaster County Sheriff, will review options and the County Attorney's opinion and will bring a recommendation back to the Board.

- D. Amendment of Microcomputer Request C#2001-108 to Include a Laser Printer for Clerk of the District Court

MOTION: Steinman moved and Workman seconded approval. Steinman, Workman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

14 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lincoln Partnership for Economic Development - Campbell

Campbell said discussion focused on the following:

- St. Elizabeth Regional Medical Center's expansion
- Southeast Lincoln/Highway 2 Subarea Plan
- Antelope Valley Project

- B. Area 5 Agricultural and Horticultural Land Valuation Board - Hudkins

Heier said a motion to raise Lancaster County's land values failed.

- C. Lancaster Manor Advisory Committee - Workman

Item will be rescheduled.

D. Air Pollution Control Advisory Board - Hudkins

Item will be rescheduled.

E. Ecological Advisory Committee - Heier

Heier said the Ecological Advisory Committee has requested inclusion on the InterLinc website.

Board consensus to schedule discussion of whether a link for advisory committees should be added to the website with Doug Thomas, Information Services Director.

15 ADJOURNMENT

MOTION: Steinman moved and Heier seconded to adjourn the meeting. Workman, Steinman, Heier and Campbell voted aye. Hudkins was absent from voting. Motion carried.

Bruce Medcalf
Lancaster County Clerk